

## Chapter Three

A Personería Jurídica in Honduras is a judicial instrument conferring governmental legal status on an organization making them eligible to solicit funds, among other humanitarian pursuits, and establishes rules and regulations under structured government scrutiny. The pursuit of such a statutory designation is a time-consuming process that is both expensive and dependent on political influence. Groups have been known to wait up to five years before being authorized by governmental court action to be granted the right to be legal; the challenge for Sister Edith and the Foundation not only daunting but also improbable when viewed from a realistic perspective inclusive of extant resources.

She and the children lived in a rundown, deserted building with dirt floors, broken adobe walls, a lack of roofing on most of the structure, and a horrific kitchen and dining area. Sister Edith had no money or financial resources at hand. She could provide only the scantiest nutrition for the children, a situation that was somewhat alleviated by the PMA food allotment, and was dependent on donations for clothing. She, however, believed in her God, convinced that the Lord would provide. The Home's needs were further exacerbated by an increasing population of children. In spite of not providing Sister Edith financial assistance for the maintenance of the children, city fiscalía staff (court workers) would bring her children from dysfunctional families, children who had no other place to go.

Sister Edith's stubborn pursuit of a Personería Jurídica would take us on a two-year long bureaucratic journey that defied the odds. I found it curious that this poorest gathering of vulnerable human beings also seemed to attract opportunistic charlatans wanting to fill their

pockets by offering unrealistic promises and inducements meant to fool desperate people with meager resources. Like the smooth-talking man who approached Sister Edith offering to transport her and the children to Spain in search of some vague pot of gold.

One US citizen and his tall, slim friend stopped by the Children's Home one day as I watched the children while Sister Edith had gone on an errand. I told him the nun would return soon. The two looked around at the devastated surroundings and scrutinized the children. The older, red-faced, fat man looked at Oscar, a three-year-old, and said I should tell the nun that he would offer \$10,000 for him. Which I did after they had gone and she returned. She just shook her head.

Other home-grown crooks also took advantage of the Children's Home by going to different businesses in the community soliciting unauthorized donations for the Foundation. People would donate money under those false pretenses and word would filter back to Sister Edith but there was nothing she could do about the corruption perpetrated by unscrupulous thieves.

How can we not exclude the attorneys? A class all their own. Most legal advice initiating preliminary work for the personería jurídica had to be pro bono, of course. Sister Edith had no money to pay an attorney. The lawyers were offering assistance motivated by the goodness of their hearts. There were more than one: more than two.

The first one, Abogada Lorna Mendez, offered her services for 25,000 lempiras (\$1200). Her ostensible payment would be provided by a humanitarian visiting from the US who took interest in Sister Edith's fledgling home for at-risk children. A clash of personalities between the generous foreigner and the lawyer soon sank that effort with not a penny being exchanged. The lawyer did manage to produce over a period of a few months a legal description of the project which she provided Sister Edith.

Abogada Orfilia Argueta, the second attorney to become involved in the quest for the personería jurídica, claimed to have the original title to the property where the Children's Home had relocated. I interviewed her as part of my Field Based Training health project back when I was a mere trainee. She told me she took possession of the original title when she occupied the post of Director of the Registry of Property. Sister Edith told me the lawyer lied. She did not have the original title to the property. The land was and still is a valuable piece of real estate located in the center of the city. Sister Edith researched all departmental and alcaldía documents and learned that the original title rested in government archives in the capital city, Tegucigalpa. The government retains sole ownership to the property with the La Paz alcaldía granted temporary management rights. The La Paz alcaldía, however, has to this day been trying to wrest property rights from the government, which Sister Edith insists will never happen. The property sits little used and appears abandoned.

A third set of attorneys took charge of the quest for the personería jurídica. Abogada Guillermina Urquía and Abogada Tania Varela (Varela would later defraud me out of a large sum of money) began and finalized the required legal documents that were submitted to the next level of government. Abogada Guillermina had been assigned to many governmental agencies that dealt with children's issues, both as an advocate and as a judge. Her young son escaped being kidnapped by an irate family against whom Abogada Guillermina once ruled. Abogada Tania held a position as immigration attorney for the many US citizens contracted to work as civilian employees on short term assignments at the Palmerola Military Base.

Two other influential people became involved in the movement for the personería jurídica in its slow crawl over governmental bureaucratic stepping stones. The process began in early 2009

and moved at a snail's pace for the next two years.

A humanitarian benefactor named Dan Tiedge associated with the Virginia Hospital Center Medical Brigade, Arlington Virginia Health Center, USA, became involved with the Fundación Señor San José after being introduced to the Children's Home by my old friend Nick. Dan made a pile of money in real estate and decided to help poor people needing help in Honduras. I met him in April 2010 after he threw his hefty financial strength behind the personería jurídica effort. Dan had already financed water projects in mountain aldeas above the Comayagua Valley providing potable water to indigent communities. He also sponsored an orphanage in Valle Bonito, a beautiful isolated hamlet nestled high among mountain peaks. A vivid memory is of the aldea Planos del Cielo where we camped out for three days on the other side of the Comayagua Valley. That community had no basic services: no electricity or potable water or even a road to reach the place. We hired porters to carry the heavy bottles of beer, soda, water and food up a steep mountain rut of a muddy trail winding our way higher and higher: 2,000 meters. At night, pitch black around a roaring fire, the sky seemed filled with a wall of stars. It rained a torrent when we settled in for sleep and we discovered that Nick's tent, where I would sleep, leaked when the rain soaked through to our sleeping bags. We scurried over to Dan's tent that he shared with two other guys where we five lay cheek by jowl, the rain pouring down as we farted and joked our way to sleep. Then, awakened from a deep slumber, I had to pee. There was no way I considered stepping out into a pitch black wall of water, so I opened the tent flap and communed with nature. The next morning we discovered I had peed all over the box containing the remaining full beer bottles. Dan never me forgave for that. I think he still hates me.

It was later discovered that Dan also became a victim of corruption, the unfortunate man who

came to help, deceived by treachery. Worse, the Honduran friend he had employed for seven years and who he trusted, charged hundreds of thousands of lempiras in supplies from several warehouses that he then charged to Dan's name and the thief also negotiated kickback schemes from those same distributors. Hurt to the core, Dan never returned to Honduras after the dedication of the new Children's Home.

The second person who facilitated the granting of the *personería jurídica* by the government turned out to be a welcome and influential benefactor. Marcela Lobo, daughter of the then-president of the country came to visit the Fundación Señor San José one day. She arrived with her bodyguards without notice. I wasn't there but Sister Edith told me all about it. Marcela Lobo brought food products for the children. Her assistants unloaded box after box of cereal, fruit juices, milk, beans and other comestibles. Further, she told Sister Edith that she also was the director of a children's foundation in Tegucigalpa and that she would provide the Foundation Children's Home food assistance every month, which she did until her father was no longer in office. Her father, Pepe Lobo, became president amid a period of political turbulence after the coup d'état on June 28, 2009.

After a year-and-a-half receiving foodstuffs every month, an acquaintance of Sister Edith, an alcoholic wealthy scion of an ancient family, told Sister Edith that he knew the president and his family and would be willing to help solicit assistance with the *personería jurídica*. Abogada Guillermina wrote the letter of solicitation and Asterio Suazo, the scion, hand carried it to Marcela Lobo in Tegucigalpa. The letter asked Marcela Lobo if she could help speed up the pending *personería jurídica* through the approval process where it seemed to languish. Indeed she could, considering her position as the president's daughter gave her access to high government

officials. Marcela Lobo approached the Ministry of Governance, the office that approved the final legal documents, and after a short period of time the personería jurídica was granted and subsequent to that approval Dan Tiedge could begin the construction of the new Children's Home on a large donated piece of property behind the local high school. Dan had deposited the required 50,000 lempiras (\$2,500) to establish a bank account in the name of the Foundation for the personeria juridica and Marcela Lobo paid the 14,000 lempiras to run the granting of the personeria juridica in La Gaceta, the country's legal journal for 14 days.

It is interesting how the forces of good and evil weave and undulate through society's social fabric sparing neither rich or poor influenced by and dependent on the consequences of random choices. A few years later Marcela Lobo's brother, Fabio, would be arrested in the US as a major drug trafficker facing decades in prison after squealing on his fellow crooks, many of whom were active and ex-police. Not only that, her father, the former president, would also be implicated and accused of being an accomplice, which he denied amid much thundering vehemence, calling his son a liar.

Life goes on.

While waiting for the personeria juridica, Sister Edith's world continued to expand. I observed her devotion to the children, her resolve often taxed beyond endurance. She cooked, tended to medical emergencies, sent the older children to school and like a mother hen protected the younger ones without question from predators. During those lean initial days she alone cared for the children, often leading her to exhaustion when several children at a time were ill and had to be cared for through the night.

Trying to assist Sister Edith I worked at the Children's Home from early in the morning until

noon during the week, leaving my afternoons free to attend to other projects with which I was involved in the community. Recognizing that the Foundation was to become a permanent entity I created an expediente (medical chart) for each resident recording date of admission, birthdate, birthplace, height, weight, family history, immunizations, allergies, medical problems and also providing a photograph of the child. A male/female growth graph was prepared for each resident. In subsequent years, on each child's birthday, a height and weight was recorded to measure growth progress.

The Fundación Señor San José, a seeming evanescent entity, for the moment existed only in the minds of Sister Edith, a few hesitant supporters, and me. She chose the name after the husband of the Virgin Mary who scripture describes as an older man, at the time she had no idea the first Children's Home was located in the Barrio San José. Sister Edith scheduled monthly meetings to which she invited as many interested persons as she could think of, encouraged by positive statements and intentions, to attend the reunion. Few people would show up; four or five, sometimes five or six, including Sister Edith and me. Once or twice it was just Sister Edith and Me. Her potential contact list was long but the bodies were few. Our monthly meetings turned out to be a learning experience, in more ways than one.

Important topics for discussion on the agenda Sister Edith prepared for each meeting included food availability, security for a decrepit building that was open to thieves, methods to stimulate increased community participation, and, of course, the tottering progress of the Personería Jurídica. Little happened but we kept meeting and searching for resources and caring for the children. Sister Edith told me it was better to keep moving instead of remaining immobile with the tires flattened.

As the months passed, Sister Edith would somehow manage to improve the Home's living quarters. I remember another elder scion of a venerable family who donated to Sister Edith a large quantity of antique red clay roof tiles. The tiles, however, were still on the building, a former cow hide tannery generations old. We drove over in the owner's tiny old Fiat, a decrepit vehicle so shaky and rickety I thought the man an indigent offering smoke and mirrors. But no, we bumped down a rutty dirt road to a large abandoned complex of red-tile roofed adobe buildings. The catch was that we had to remove the tiles from the timeworn wood beams higher than a normal roofed house. An antiquated, unkempt, rawhide-processing industrial plant, from the time before there existed automobiles, loomed in the forest.



The history of Sister Edith's abandoned Escuela Parroquial, aka her present home, has an interesting antecedent that is linked to the city of La Paz's paved roads for automobiles.

The sprawling building complex now known as the Fundación Señor San José, was built to be a hospital. The father of new medical school graduate Dr. Roberto Suazo Córdoba, a wealthy man who owned much property, built the hospital so his son would have a place to practice medicine. Teasing remains of those lost years would on occasion peek through from under the accumulated grime of decades in the form of beautiful, colorful blue floor tiles buried under thick layers of dirt being moved aside.

Dr. Roberto Suazo Córdoba never practiced medicine nor was the building ever used as a hospital. The doctor, enamored of the world of politics, became, the president of the country



from 1982 until 1986. Rosuco, as he was christened by the media and the public, the president hired local laborers to pave the streets of the entire city of La Paz, one of the few small Honduran cities to have paved roads, especially in those days. He also had built the current hospital that bears his name and a large sports stadium on the edge of town.



That next weekend Sister Edith packed a lunch and she and the children and I walked over to the old tannery about fifteen blocks away from the Children's Home. At the edge of town, where the paved city road ended and inclined upward into the foothills, we reached the weed-camouflaged bumpy dirt road that led us through tall trees to the abandoned tannery site.

From the tannery, the dirt road climbs a steep winding route that takes one to a hot spring and from there even higher into the mountains to an aldea named Tepanguare, isolated coffee growing country in the departamento of La Paz. La Paz municipio sits at the base of two dormant volcanoes that loom high over that edge of the Comayagua Valley, a reason there are so many hot springs in and around the Comayagua Valley. The municipality of Comayagua in the departamento of Comayagua is one of the first populated settlements established by the Spaniards when they invaded the land in the 1500s, enslaved the indigenous Lenca people, and stole their land. Comayagua became the colonial capital of the territory for centuries.

As we approached the tannery we surveyed the area deciding how to remove so many clay tiles from so high on the pitched roof, and where to place them for later transport.

I don't remember how many children lived at the Home back then, perhaps thirteen or

fourteen. We located two old, tall ladders fashioned of thick, rough 2x4 wood planks fastened with nails. Even though old, the ladders were sturdy and heavy.

During the course of my life I have often marveled that I learn something new every day. That weekend I learned how to stack heavy, clay roof tiles. A nine-year-old kid showed me how.

After locating a couple of secure places on the roof where two of us leaned each of the heavy ladders, I climbed up one ladder and one of the older kids climbed up the other. The remaining children and Sister Edith formed a chain and we began to hand down the tiles, person to person. Even the littlest children took a place in the chain until the hand me down tiles reached the place where they were leaned one against the other in a circular pattern, narrow end up; beginning at the center the spiraling tiles expanded outward to form a great big round tile repository, somewhat like a huge, flat cinnamon roll.

It took two weekends to remove all the heavy, red clay roof tiles. After the tiles were removed the bare skeleton wood structure remained, which was what Sister Edith wanted most: the wood. She understood the donor to say we could also transport the wood beams to the Children's Home, looking forward to the wood helping rebuild the rundown premises. He, however, said he had told her no such thing.

Sister Edith, never afraid to ask favors to advance her cause, negotiated the use of a bobtail truck to move all the tiles to the Foundation home where the tiles were unloaded and stored in an identical manner filling several of the bombed-out-looking unroofed adobe rooms. Many months later the tiles became a roof.

Mornings, as we walked to the tannery with the children over the course of the tile transfer, Sister Edith and I would talk and share thoughts. One day she asked me about the Thanksgiving

Day holiday, the date soon approaching.

Never one to veer from controversy, I explained that in my opinion and my knowledge base as a historiographer (San José State University, BA History, '72), the first mythical Thanksgiving ceremony in North America during the 1600s was the beginning of ethnic cleansing by European immigrants who for whatever reason had invaded the continent and occupied a narrow strip of its eastern seaboard.

Sister Edith replied that during her sabbatical year in the US there seemed to be such a national fervor surrounding the celebration of Thanksgiving Day and the preparation of a turkey for a dinner feast.

I found myself at a loss to explain the patriotic mythology perpetrated over the decades and the evolution of a phoney democratic tradition constructed on the extermination of hundreds of indigenous tribes of millions of people across the breadth of an entire continent as the invaders forced their way with devastating firepower and stole the original occupants' land.

Thanksgiving Day is not celebrated in Honduras. At least it hadn't been until the appearance in recent years of advertising no doubt instigated by increasing numbers of native Hondurans who had immigrated to the US whether by hook or crook, not to mention the temporary presence of overlapping Peace Corps Volunteers and fewer more permanent expats. Nonetheless, the sanitized mythology filtered down to Central America with osmotic perseverance, its velocity increasing every year. The name of the holiday, however, became hispanicized to Día de Acción de Gracias. And since Hondurans worked on the last Thursday of November the celebratory day was changed to the last Saturday of November.

I asked Sister Edith if she would be interested in celebrating Thanksgiving Day at the

Children's Home, the year being 2009. She did not hesitate and right away thought it to be a good idea. In her mind it was the idea of a national day set aside thanking God for his blessings. She and the children had a home. They were all healthy. Further, she felt certain that God would assist with the still-developing process for advancing the idea of the Personería Jurídica.

I saw the occasion more as a day of giving thanks for the expulsion of the Spaniards after a 300-year occupation and for not exterminating the indigenous Lenca people while the invaders stole their precious metals and land.

Subsequent to that conversation, I began to plan for our First Annual Thanksgiving Day dinner at the Fundación Señor San José. The holiday soon approaching, I began contacting Peace Corps Volunteers who had been assigned to nearby aldeas and communities asking if they would be interested in celebrating Thanksgiving Day at the Children's Home. The message traveled by word of mouth far beyond our expectations.

When the children got wind that a celebration that featured turkey loomed on the horizon, they would ask me: "What does turkey taste like?" That was a difficult question to answer. No one at the Home had ever eaten turkey. No one knew how to prepare a Thanksgiving turkey meal.

Except for Mariano.